United Nations CEDAW/C/POL/Q/7-8

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined seventh and eighth periodic reports of Poland*

Legislative and institutional framework and access to justice

1. Please indicate whether the State party has adopted a comprehensive anti-discrimination law that contains a definition of discrimination against women in accordance with article 1 of the Convention, encompassing both direct and indirect discrimination and covering all areas of the Convention. Please indicate what procedures have been put in place for the effective implementation, monitoring and enforcement of anti-discrimination legislation. Please provide information on any instances in which the Convention has been invoked by individuals or directly applied or referred to in court proceedings in the State party.

2. In the absence of information in the State party's report, please indicate the number and outcome of complaints of alleged discrimination on the grounds of sex and gender lodged by women during the reporting period with the Human Rights Defender. Please indicate whether any redress was provided to victims in cases in which a violation was found. Please provide information about the steps taken to strengthen the mandate of the Human Rights Defender, in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including the provision of adequate financial and human resources.

3. Please indicate how the State party is enhancing the awareness and knowledge of women, in particular those belonging to the most disadvantaged groups, such as women in rural areas and migrant, Roma and asylum-seeking and refugee women, about their rights under the Convention and the related national legislation.

National machinery for the advancement of women

4. Please describe the impact of the Government Plenipotentiary for Equal Treatment and explain what legislative or policy initiatives for women's rights, gender equality and women's empowerment the Plenipotentiary has undertaken

* Adopted by the pre-sessional working group for the fifty-ninth session, meeting from 3 to 7 March 2014.

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during the reporting period (CEDAW/C/POL/7-8, para. 15).[1] Please clarify whether the State party intends to establish a permanent governmental body responsible specifically for women's rights, gender equality and women's empowerment and to guarantee adequate funding and personnel resources for the implementation of gender equality under the National Action Plan for Equal Treatment.

5. In the light of the Committee's previous concluding observations (CEDAW/C/POL/CO/6, paras. 12 and 13), please clarify whether there is a national action plan for women that is being implemented or developed. Please provide information on how the implementation of gender mainstreaming strategies in all government ministries and agencies is ensured, including a coordination mechanism between the Plenipotentiary and the ministries, and comment on strategies for gender mainstreaming at the national, *voivodeship* (regional) and municipal levels in all areas covered by the Convention (para. 17).

Temporary special measures

6. In the absence of information in the State party's report, please indicate what procedure has been put in place for the application of temporary special measures in accordance with article 4 (1) of the Convention. Please clarify which temporary special measures are in place to increase the employment of women, including disadvantaged groups of women, and the representation of women in decision-making positions and elected offices. Please explain what measures have been taken to enhance equal representation of women in management and supervisory boards of public and private companies. Please provide information on the nature, purpose and use of the gender index in workplaces, in particular in public administration (para. 28).

Stereotypes

7. Please provide information on the impact assessment of the awareness-raising and educational campaigns described in the report aimed at addressing gender-based stereotypes, with emphasis on the projects undertaken during the reporting period in areas other than labour and occupation (paras. 38-41). Please also indicate ways in which these campaigns have addressed the elimination of stereotypes associated with multiple forms of discrimination faced by various disadvantaged groups of women and girls as a result of their ethnicity, age, disability or other characteristic.

8. Please describe the intervention measures to eliminate the patriarchal and stereotypical portrayals of women in the media and advertisements (para. 62). Please provide information on any measures taken to counter, in accordance with article 5 of the Convention, campaigns such as those that reject the concept of "gender". Given the absence of information in the State party's report, please describe the steps taken to review textbooks and materials at all levels of education in order to eliminate references that maintain or reinforce patriarchal gender stereotypes (para. 152).

9. Please indicate the steps taken to promote the sharing of responsibilities between men and women in the family, including information on the current

[1] Unless otherwise indicated, paragraph numbers refer to the combined seventh and eighth periodic reports of the State party.

duration of maternity and paternity leaves (paras. 189 and 194). Please indicate the training and educational measures in place for law enforcement officers and officials of public institutions assisting women who experience sexual violence, in particular rape, to prevent the stigmatization of victims and avoid stereotypes that may perpetuate violence against women.

Violence against women

10. Please assess the effectiveness of the measures against violence against women, in particular the amendments to the Act on Counteracting Domestic Violence of 10 June 2010 and the National Programme for the Prevention of Domestic Violence for 2006-2016 (paras. 42 and 51). Please clarify whether domestic violence and marital rape are defined as specific criminal offences in the Criminal Code.

11. In the light of the Committee's previous concluding observations (CEDAW/C/POL/CO/6, para. 19), please describe to what extent victims of domestic violence have access to means of immediate protection, including protection orders issued by the police (para. 47), sufficient numbers of safe shelters staffed by expert personnel and other services, free legal aid (para. 60) and alternative housing (paras. 47 and 48). Please provide updated data, disaggregated by type of violence and the relationship of the perpetrator to the victim, on reported and prosecuted criminal acts pertaining to violence against women, including domestic violence (CEDAW/C/POL/CO/6, para. 19).

Trafficking in women and exploitation of prostitution

12. Please assess the effectiveness of the National Action Plan against Trafficking in Human Beings (para. 69), providing in particular updated information regarding measures to prevent trafficking in women and increase protection to its victims. Please clarify whether the State party intends to establish an independent mechanism or body with a mandate to gather and disseminate information and develop measures against trafficking in women. Please provide information, disaggregated by sex, age and nationality, on the number of reported cases of trafficking in women, prosecutions, convictions and sentences imposed on perpetrators during the reporting period, including the number of women victims of trafficking with the purpose of sexual exploitation.

13. Please also indicate what instruments are currently in place through the National Consulting and Intervention Centre or other mechanisms to improve the early identification of women victims of trafficking and encourage victims to report such crimes to the police (para. 76). How many women victims of trafficking residing in Poland illegally have had their status legalized under the amended Act on Aliens? Given the lack of information in the State party's report on the prevalence of prostitution, please comment on the prevalence of the phenomenon in the State party and on policies and measures adopted to prevent sexual exploitation of women and girls (para. 81) and on assistance provided to those who wish to leave prostitution.

Participation in public and political life

14. Taking into account the Committee's previous concluding observations (CEDAW/C/POL/CO/6, paras. 14 and 15), please describe what strategies have been

adopted to accelerate women's full and equal participation in public and political life. Please clarify the impact of the Quota Act, which entered into force on 3 March 2011 with the aim of enhancing the representation of women in the parliament (paras. 89 and 92). Please clarify what measures have been taken to facilitate women's access to the Foreign Service (para. 124).

Education

15. Please explain the high number of schools for boys only as compared with girls only (annex, table A.10.1). Please also provide information on the level of access to education for disadvantaged groups of women and girls, such as rural, refugee and Roma women and girls and women with disabilities. Please also provide updated data on the professional and academic choices of women and men at all relevant educational levels (annex, tables A.11.1.A. and A.11.1.B.) and describe efforts made by the State party to promote the diversification of educational and vocational choices for women and men.

Employment

16. Please indicate the specific steps taken during the reporting period to address the persistent occupational segregation between men and women in the labour market and the prevailing gender wage gap both in the private and public sectors (para. 165). Please indicate the steps taken to promote women's opportunities for career development and access to a wider range of jobs. Please clarify whether the State party has implemented the Committee's previous recommendation to adopt the same age of mandatory retirement for women and men (paras. 174 and 175). Please provide data on cases filed during the reporting period regarding discrimination against women in the workplace, including wage discrimination and sexual harassment, together with the outcome of such cases (paras. 209-213).

Health

17. Please provide information on the effectiveness of the measures described to prevent illegal abortions and their impact on women's health and life and explain whether the legal and policy frameworks enable women to have access to abortion where the medical procedure is permitted under the law. Please provide updated data on the number of instances during the reporting period in which individual physicians and health facilities refused the termination of pregnancy by invoking the so-called conscientious objection clause and clarify what steps have been taken to guarantee access to lawful abortion. Please provide information on the measures adopted to enhance access to contraceptives and indicate the steps taken to integrate age-appropriate education on sexual and reproductive health and rights, including on responsible sexual behaviour, into educational curricula (paras. 154 and 156).

Rural women

18. Please provide information on the impact of the policies and programmes implemented to enhance access by rural women to employment opportunities and to participation in decision-making in local government, as recommended by the Committee in its previous concluding observations (CEDAW/C/POL/CO/6, para. 27). What steps have been taken to address circulatory disorders among rural

women, which contribute to the higher female mortality rate in rural areas as compared with urban areas (para. 265)?

Disadvantaged groups of women

19. Please provide updated information, including disaggregated statistical data, on the situation of disadvantaged groups of women and girls, including refugees, asylum seekers and migrants, which would allow for assessments of multiple forms of discrimination, and describe the measures taken to promote their access in particular to education, employment, health care, adequate housing and protection from violence and to support their integration into society. Please clarify the steps taken to establish a national mechanism for the early identification of asylum seekers with specific needs, in particular women, and explain whether they are guaranteed access to independent, qualified and free legal advice and representation.

20. Given the absence of information in the State party's report, please describe the measures taken to remove all barriers to access by women with disabilities to the labour market, health care and educational institutions; prevent violence against women with disabilities; and adapt centres providing aid and support to the victims of violence to the needs of women with disabilities. Please also indicate the steps taken, if any, to facilitate the transition of women and girls with disabilities from institutional care to community-based social service alternatives.